

IN THE CLAIMS:

Please amend the claims as follows.

1. (Currently Amended): A method, comprising operating a control node of a communication network at a packet bandwidth corresponding to a best observed resonance point of a network performance metric from a plurality of resonance points, wherein the control node is located in a communication link between at least one server and at least one client and wherein the control node comprises at least one control point, wherein a plurality of the resonance points of network performance metrics are determined at the control point by scanning across a range of control bandwidths until one or more of the network performance metrics is/are optimized, and wherein the control node is operated at the packet bandwidth corresponding to the best observed resonance point from the plurality of resonance points.

2. (Previously Presented): The method of claim 1 wherein the network performance metrics comprise one or more of throughput, average fetch time and packet loss.

3-4. (Canceled)

5. (Original): The method of claim 1 wherein the packet bandwidth is set by varying an inter-packet delay time over selected communication links at the control node.

6. (New): A method, comprising:

determining a plurality of resonance points of network performance metrics at a control point inside a communication network by scanning across a range of bandwidths until one or more of the network performance metrics is/are optimized; and

operating a control node inside the communication network at a packet bandwidth corresponding to the best observed resonance point from the plurality of resonance points, wherein the control node is located in a communication link between at least one server and at least one client, and wherein the control point is located nearby or in the control node.

7. (New): The method of claim 6, wherein the network performance metrics comprise one or more of throughput, average fetch time, and packet loss.
8. (New): The method of claim 6, wherein the packet bandwidth is set by varying an inter-packet delay time over selected communication links at the control node.
9. (New): An apparatus to control congestion in a communication network, wherein the apparatus comprises:
 - a control node, wherein the control node is located in a communication link between at least one server and at least one client; and
 - a control point, wherein the control point is located nearby or in the control node.
10. (New): An apparatus of claim 7, wherein the control point comprises means to determine a plurality of resonance points of network performance metrics by scanning across a range of bandwidths until one or more of the network performance metrics is/are optimized.

11. (New): An apparatus of claim 8, wherein the control node comprises means to operate the control node at a packet bandwidth corresponding to the best observed resonance point from the plurality of resonance points.